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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,605	04/16/2004	John D. Prymak	31433-53	1192

7590

07/25/2005

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EXAMINER

THOMAS, ERIC W

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/826,605	PRYMAK, JOHN D.	
	Examiner	Art Unit	
	Eric W. Thomas	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26, 28, 29 and 46-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-25 is/are allowed.
- 6) ☒ Claim(s) 26, 28-29, 46-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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INTRODUCTION

The examiner acknowledges, as recommended in the MPEP, the applicant's submission of the amendment dated 5/9/05. At this point, claims 26, 29, 46 have been amended; and claims 27, 30-45, and 56 have been cancelled. Thus claims 1-26, 28-29, 46-55 are pending in the instant application.

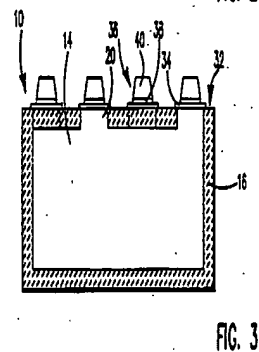
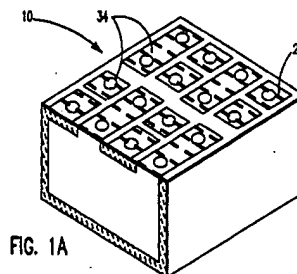
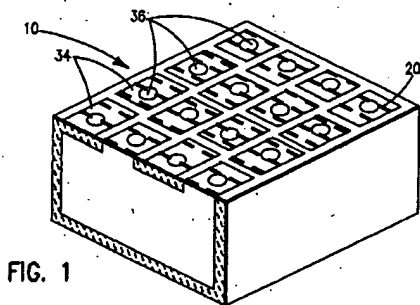
DETAILED ACTION***Claim Rejections - 35 USC § 102***

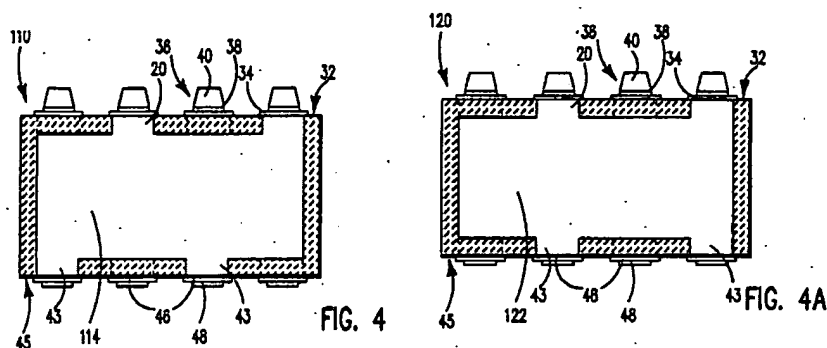
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 26, 28, 46-47, 49-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Arnold et al. (US 4,831,494).





Regarding claim 26, Arnold et al. disclose in fig. 1, 4, 4A, a capacitor comprising a first face and a second face parallel to the first face and four sides perpendicular to and between the first face and the second face; subunits wherein each subunit of said subunits comprises first plates and second plates in alternating planar relationship with a dielectric therebetween each first plate of the first plates comprises a first coupling tab and a power tab on opposing edges wherein the first coupling tab terminates at the first face and said power tab terminates at said second face; each second plate of the second plates comprise a second coupling tab and a ground tab on opposing edges wherein the second coupling tab terminates at said first face and said ground tab terminates at said second face; and wherein the subunits are fused together with ceramic between the subunits (see fig. 1 & 1A).

Regarding claim 28, Arnold et al. disclose the first coupling tabs of each subunit are aligned (see fig. 4, 4A, 1).

Regarding claim 29, Arnold et al. disclose the first coupling tabs of each subunit and said second coupling tabs of each subunit are alternating (see fig. 4, 4A, 1).

Regarding claim 46, Arnold et al. disclose in fig. 1, 1A, 3 capacitor comprising: a pair of opposing faces; subunits wherein:

each subunit comprises a multiplicity of first plates and second plates in alternating parallel relationship and perpendicular to said opposing faces; said first plates comprise first lead out tabs which terminate at a first external terminal at a first face; said second plates comprise second lead out tabs which terminate at a second external terminal at said first face; a first external terminal in contact with said first lead out tabs; a second external terminal in contact with said second lead out tabs; said subunits are arranged in parallel such that said first external terminals and said second external terminals are on said first face.

Regarding claim 47, Arnold et al. disclose the first external terminal of each said subunit are aligned.

Regarding claim 49, Arnold et al. disclose the first external terminal of each said subunit and said second external terminal of each said subunit are alternating.

Regarding claim 50, Arnold et al. disclose each of the first plates comprises third lead out tabs which terminate at a third external terminal on a second face (see fig. 4, 4A).

Regarding claim 51, Arnold et al. disclose each of the second plates comprises fourth lead out tabs which terminate at a fourth external terminal on the second face.

Regarding claim 52, Arnold et al. disclose the third external terminal and the fourth external terminal are aligned.

Regarding claim 53, Arnold et al. disclose the third external terminal and the fourth external terminal are alternating.

Regarding claim 54, Arnold et al. disclose the first external terminal and the third external terminal are opposing (see fig. 4, 4A).

Regarding claim 55, Arnold et al. disclose the first external terminal and the fourth external terminal are opposing (see fig. 4, 4A).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold et al. (US 4,831,494) in view of Sutardja (US 2004/0223290).

Abe et al. disclose the claimed invention except for the first external terminal is in electrical contact with a first external terminal of a second said subunit.

Sutardja teaches that it is known in the capacitor art to electrically connect a first external terminal of one subunit to another first external terminal of a second subunit.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the capacitor of Abe et al. by electrically connecting the first external terminal of the first subunit to the first external terminal of the second subunit as taught by Sutardja, since such a modification would improve the capacitance of Abe et al.

Response to Arguments

6. Applicant's arguments, see pages 13-24, filed 5/9/05, with respect to claims 1-25 have been fully considered and are persuasive. The rejection of claims 1-25 has been withdrawn.

7. Applicant's arguments with respect to claims 26, 27-28, 46-47, 49-54 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

8. Claims 1-25 are allowed.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not teach or fairly suggest (taken in combination with the other claimed features) an electric component comprising each second plate of said second plates comprises a second coupling tab and a ground tab on opposing edges wherein said second coupling tab terminates at said first face and said ground tab

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terminates at said second face (claims 1-17); and a chipboard with said capacitor mounted thereon comprising power coupling terminals in electrical contact with said first coupling terminal and ground coupling terminals in electrical contact with said second coupling terminals (claims 18-25).

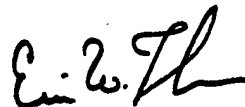
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric W. Thomas whose telephone number is 571-272-1985. The examiner can normally be reached on Monday - Friday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ewt

 7/21/05
ERIC W. THOMAS
PRIMARY EXAMINER